Dkt. 45775-Z/JPW/AJM/DNS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christina Kabbash et al.

Serial No. : Not Yet Known

Filed : Herewith

For : NOVEL ANTIMICROBIAL ACTIVITY OF GEMFIBROZIL

1185 Avenue of the Americas
New York, New York 10036
March 29, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22312-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with their duty of disclosure under 37 C.F.R. § 1.56 and § 1.97(a)-(b), applicants would like to direct the Examiner's attention to the following references which are listed on the attached Form PTO-1449.

1. C. Kabbash, H. Shuman, S. Silverstein, P. Della-Latta, J. Blanchard, U.S. Serial No. 09/438,144, filed November 10, 1999;

2. U.S. Patent No. 4,859,703, August 22, 1989, Krause, B.R.;

3. U.S. Patent No. 6,531,291 B1, March 11, 2003, Kabbash et al.;

4. U.S. Patent No. 4,891,220, January 2, 1990, Donzis, B.A.;

5. U.S. Patent No. 5,422,372, June 6, 1995, Silverstein et al.;

6. U.S. Patent No. 5,837,480, November 17, 1998, Sacchettini et al.;

7. U.S. Patent No. 3,674,836, July 4, 1972, Creger, P.;

8. The Merck Index, 10th Ed., Merck & Co., Inc., Rahway, New Jersey, 1983, No. 4246;

9. Vernon et al. (1984) The Presence of Essential Arginine Residues at the NADPH-Binding Sites of β-Ketoacyl Reductase, And Enoyl Reductase Domains of the Multifunctional Fatty Acid Synthetase of Chicken Liver, *Biochim. et Biophys. Acta.* Vol. 788, pp. 124-131;

10. Clements et al. (1982) Irreversible Inhibition of Fatty Acid Synthase From Rat Mammary Gland With *S*-(4-bromo-2,3-dioxobutyl)-CoA. *Biochem. J.* Vol. 207, pp. 291-296;

11. Bergler, H. et al. (1996) The enoyl-[acyl-carrier-protein] reductase (FabI) of *Escherichia coli,* which catalyzes a key regulatory step in fatty acid biosynthesis, accepts NADH and NADPH as cofactors and is inhibited by palmitoyl-CoA. *Eur. J. Biochem.* Vol. 242, pp. 689-694;

12. Heath, R.J. and Rock, C.O. (1996) Regulation of Fatty Acid Elongation and Initiation by Acyl-Acyl Carrier Protein in *Escherichia coli. J. Biol. Chem.* Vol. 271, No. 4, pp. 1833-1836;

13. Cardon, J. W. and Hammes, G.G. (1983) Kinetic and Structural Investigation of Acyl-binding Sites on Avian Fatty Acid Synthase. *J. Biol. Chem.* Vol. 258, No. 8, pp. 4802-4807;

14. International Publication No. WO 99/37800, published July 29, 1999, Levy, S.B. and McMurry, L.M. for Antimicrobial Compounds, PCT International Application No. PCT/US99/01288, filed January 22, 1999;

15. Amigo, L. et al. (1992) Subcellular distribution and

characteristics of ciprofibroyl-CoA synthetase in rat liver. *Biochem. J.* Vol. 284, pp. 283-287;

16. Bronfman, M., et al. (1992) Hypolipidaemic drugs are activated to acyl-CoA esters in isolated rat hepatocytes. *Biochem. J.* Vol. 284, pp. 289-295;

17. Urrea, R. and Bronfman, M. (1996) Species Differences in the Intracellular Distribution of Ciprofibroyl-CoA hydrolase. Implications for peroxisome proliferation. FEBS Letters. Vol. 389, pp. 219-223;

18. Hashimoto, et al. (1997) Effect of gemfibrozil on centrifugal behavior of rat peroxisomes and activities of peroxisomal enzymes involved in lipid metabolism. *Bio Pharm. Bull.* Vol. 20, No. 4, pp. 315-321;

19. Baldock et al., (1996) A Mechanism of Drug Action Revealed by Structural Studies of Enoyl Reductase. *Science*. Vol. 274, pp. 2107-2110.

References 1-19 were previously cited in connection with the prosecution of U.S. Serial Number 08/608,712, from which the subject application claims benefit under 35 U.S.C. §120. According to 37 C.F.R. §1.98(d), copies of patents or publications that were previously cited by, or submitted to, the Office in connection with such prior applications need not accompany the Information Disclosure Statement. Accordingly, copies of the above identified references are not attached to this Information Disclosure Statement.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee. Other than the enclosed filing fee, is deemed necessary in connection with the filing of this Information Disclosure Statement. If any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

John P. White
Registration No. 28,678
Alan J. Morrison
Registration No. 37,399
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 45775-Z/JW/AJM/DNS	Serial No. Not Yet Known
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Applicants: Christina Kabbash, et al.	
	Filing Date Herewith	Group

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
		09 4 3 8 1 4 4	11/10/99	Kabbash et al.;			
		4 8 5 9 7 0 3	8/22/89	Krauser;			
		6 5 3 1 2 9 1	3/11/03	Kabbash et al.;			
		4 8 9 1 2 2 0	1/2/90	Donzis et al.;			
		5 4 2 2 3 7 2	6/6/95	Silverstein et al.;			
		5 8 3 7 4 8 0	11/17/98	Sacchettini et al.;			
		3 6 7 4 8 3 6	7/4/72	Creger;			

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation Yes	Translation No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		The Merck Index, 10th Ed., Merck & Co., Inc., Rahway, New Jersey, 1983, No. 4246;
		Vernon et al. (1984) The Presence of Essential Arginine Residues at the NADPH-Binding Sites of β-Ketoacyl Reductase, And Enoyl Reductase Domains of the Multifunctional Fatty Acid Synthetase of Chicken Liver, *Biochim. et Biophys. Acta.* Vol. 788, pp. 124-131;
		Clements et al. (1982) Irreversible Inhibition of Fatty Acid Synthase From Rat Mammary Gland With *S*-(4-bromo-2,3-dioxobutyl)-CoA. *Biochem. J.* Vol. 207, pp. 291-296;
		Bergler, H. et al. (1996) The enoyl-[acyl-carrier-protein] reductase (FabI) of *Escherichia coli*, which catalyzes a key regulatory step in fatty acid biosynthesis, accepts NADH and NADPH as cofactors and is inhibited by palmitoyl-CoA. *Eur. J. Biochem.* Vol. 242, pp. 689-694;
		Heath, R.J. and Rock, C.O. (1996) Regulation of Fatty Acid Elongation and Initiation by Acyl-Acyl Carrier Protein in *Escherichia coli. J. Biol. Chem.* Vol. 271, No. 4, pp. 1833-1836;
		Cardon, J. W. and Hammes, G.G. (1983) Kinetic and Structural Investigation of Acyl-binding Sites on Avian Fatty Acid Synthase. *J. Biol. Chem.* Vol. 258, No. 8, pp. 4802-4807;
		International Publication No. WO 99/37800, published July 29, 1999, Levy, S.B. and McMurry, L.M. for Antimicrobial Compounds, PCT International Application No. PCT/US99/01288, filed January 22, 1999;
		Amigo, L. et al. (1992) Subcellular distribution and characteristics of ciprofibroyl-CoA synthetase in rat liver. *Biochem. J.* Vol. 284, pp. 283-287;
		Bronfman, M., et al. (1992) Hypolipidaemic drugs are activated to acyl-CoA esters in isolated rat hepatocytes. *Biochem. J.* Vol. 284, pp. 289-295;
		Urrea, R. and Bronfman, M. (1996) Species Differences in the Intracellular Distribution of Ciprofibroyl-CoA hydrolase. Implications for peroxisome proliferation. FEBS Letters. Vol. 389, pp. 219-223;
		Hashimoto, et al. (1997) Effect of gemfibrozil on centrifugal behavior of rat peroxisomes and activities of peroxisomal enzymes involved in lipid metabolism. *Bio Pharm. Bull.* Vol. 20, No. 4, pp. 315-321;
		Baldock et al., (1996) A Mechanism of Drug Action Revealed by Structural Studies of Enoyl Reductase. *Science.* Vol. 274, pp. 2107-2110.

EXAMINER	DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.